

In the Patent and Trademark office

App. Number, 10/823,911
Filing date, 04/13/2004
Applicant, Arlen Bauer
Appn. Title, Bungee adjuster

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Examiner; Rodriguez, Ruth C.
Art Unit: 3677

Faxed on date *2/28/06*
Fax no. 571-273-8300

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Sir/Madam,

In response to the final office action ;

1. The claim of this appn. distinguishes over the reference under sec. 102
2. The cited and relied upon Nolen show's a hook (16) with a buttoner bend. Nolen claims that the hook **includes** a buttoner bend. Whereas the claim of this appn. has a hook that includes nothing. If the first and second bight of Nolen were being used for the buttoner bend as stated by the examiner then Nolen would also be claiming a first a second and a middle portion which the claim of this appn does not claim. Also Nolen says that the unbuttoner portion includes a first (24), a second (26) and middle (22) portion. Whereas the claim of this appn. makes no claim of having a middle portion between the two reversing bights.
3. In response to number 4. Nolan does not disclose a devise having a hook **and** a button Bend. Nolen discloses a devise with a hook that **includes** a button bend. Also the claim of

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PAGE 2/2 * RCVD AT 2/28/2006 2:30:29 PM [Eastern Standard Time] * SVR:USPTO-EFEXRF-5/7 * DNS:2738300 * CSID:7075768859 * DURATION (mm-ss):01-16

this appn. does not require a hook with two bights but a hook leading into two bights.

4. Since the claim of this appn. recites features which are not present in any reference, applicant submits that the claim clearly recites novel physical features which distinguish over any and all references under sec.102. The applicant submits that the above recite novel features in the claim of this appn. and provided new and unexpected results and hence should be considered unobvious making the claim patentable under Sec. 102.

Very respectfully



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On date 2/28/06
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